

**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**

**INVITATION TO BID NO. 13-002**

**LOCOMOTIVE FUELING SERVICES**

**ADDENDUM NO. 1**

**NOTE: FAILURE TO ACKNOWLEDGE RECEIPT OF THIS ADDENDUM ON THE BID FORM SHALL BE CAUSE FOR REJECTION OF THE BID**

This Addendum revises the following sections of the solicitation documents as detailed.

- |   |   |
|---|---|
| <input type="checkbox"/> Definition of Terms          | <input type="checkbox"/> Special Terms and Conditions |
| <input type="checkbox"/> Instructions to Bidders      | <input checked="" type="checkbox"/> Scope of Services |
| <input checked="" type="checkbox"/> Bid Documents     | <input type="checkbox"/> Federal Requirements         |
| <input type="checkbox"/> General Terms and Conditions | <input type="checkbox"/> Appendices/Attachments       |

**This Addendum includes:**

- 1) Pre-Bid Meeting Minutes
- 2) Question/Answer Matrix for questions submitted to date

**Bid Document:**

Remove Instructions Page BF-2of4 and replace with enclosed BF-2of4-AD1  
Remove Bid Submittal Sheet Page BF-3of4 and replace with enclosed BF-3of4-AD1  
Remove Scope of Services Page SOS-1of4 and replace with enclosed SOS-1of4-AD1  
Remove Scope of Services Page SOS-3of4 and replace with enclosed SOS-3of4-AD1

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**Date Issued: November 20, 2012**

**Last Day for Receipt of Questions has changed to 5:00 p.m. Eastern Time, November 21, 2012.**

**Last Day for Submission of Bids remains 4:00 p.m. Eastern Time, November 28, 2012.**



Christopher C. Bross, CPPO  
Director, Procurement



Telephone: (954) 788-7897

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**ITB NO. 13-002 "Locomotive Fueling Services"**

**SUMMARY OF PRE-BID CONFERENCE MINUTES**

Date: November 6, 2012

Time: 10:00 A.M.

Location: South Florida Regional Transportation Authority  
800 NW 33<sup>rd</sup> Street  
Pompano Beach, FL 33064

Attendees:	Joe Rodriguez	SFRTA
	Robert Becker	SFRTA
	Oscar Nelson	SFRTA
	James DeVaughn	SFRTA
	Debra Lehrhaupt	SFRTA
	William Putnam	MacMillan Oil
	Bridgette Baker	Atlantic Clean Energy

The Pre-Bid Conference for Invitation to Bid No. 13-002 "Locomotive Fueling Services" was opened by Mr. Joseph Rodriguez, SFRTA's Contract Specialist, at approximately 10:00 a.m.

Mr. Rodriguez stated that this contract is to purchase fuel for SFRTA locomotives with an estimated annual amount of 3 (three) Million gallons.

The term for this contract is 5 (Five) years with no renewal options.

Any questions after today's meeting must be submitted in writing to SFRTA's Contract Specialist, Mr. Joseph Rodriguez, by email at [itb13002@sfrta.fl.gov](mailto:itb13002@sfrta.fl.gov). Contractor's lacking email capabilities may fax correspondence to (954) 788-7963. All questions for this ITB are due by November 16<sup>th</sup> 2012, at 5:00 pm.

The bid due date is on November 28, 2012 at 4:00 p.m. There will be a bid box in the lobby, where you will submit your bid.

Mr. Rodriguez then allowed for SFRTA panel introductions starting with James DeVaughn SFRTA's Operations Manager, Mr. Robert Becker, SFRTA's Contract Specialist, Oscar Nelson, SFRTA's Procurement Manager.

Mr. Rodriguez noted the insurance requirements in section 2.9 in the solicitation packet. Please make sure you review the clauses for these requirements.

At this point, James DeVaughn gave a brief overview of the scope for this ITB. SFRTA is looking to have fuel delivered to 2 (two) locations in Miami and West Palm Beach. Presently we are receiving fuel on a daily basis. Once the delivery has arrived at the fueling yard, you are to contact the maintenance manager where they will identify the locations for disbursement of the fuel. After the fuel has been dispensed, there will be a sheet for the driver to sign and verify the amount of the delivery that was dispensed.

Mr. Rodriguez stated that SFRTA encourages the participation of DBE firms on contracts. There is not an established participation goal for this project, but SFRTA has an overall annual DBE goal of 10% for the Agency. Please go to the State of Florida website where you can obtain a list of all the DBE's that are certified in the State of Florida. If you plan to use a DBE firm, please include their current DBE certification or biznet profile with your bid submittal package.

Mr. Rodriguez addressed section 1.7 Oral Instructions and Communications and followed by reading section 1.7.2 Communications and Cone of Silence. Any communication between any potential vendor, service provider, bidder, lobbyist or consultant and any board member, staff member, committee member or consultant of SFRTA regarding this procurement are strictly prohibited from the date on which the solicitation advertisement appears on SFRTA's website or newspaper through the date of contract award and from the date of the filing of any notice of protest of award through resolution for the parties involved in the protest or contract award, whichever is longer.

The only exceptions to this are (i) any communication with the procurement Director, or SFRTA's designated point of contact; (ii) site visits to the apparent low Bidder's or apparent successful proposer facilities (iii) any communication made on the record at a publicity notified meeting of SFRTA, or (iv) negotiation meeting held by the Procurement Director.

Mr. Rodriguez then opened the floor for questions.

Q. When you say DBE are you referring to Disadvantaged Business Enterprises?

A. Yes.

Q. And you say there are no considerations for that?

- A. DBE participation is highly encouraged, but there is no specific goal for this project.
- Q. You say that you are constructing a new facility or upgrading at Dexter Way in West Palm Beach?
- A. There is a possibility that we may have a new facility in West Palm Beach but it has not yet been finalized.
- Q. If that comes about will it be taken in transport load or tank wagon load?
- A. It will be taken tank wagon load.
- Q. You show that you take Off Road Dye diesel, B20 and B11 and the way it is priced is off of Platts. The off Off Road Dye diesel is not an issue, the Bio Diesel there is only 1 (one) terminal supplier in Port Everglades that issues Bio Diesel, and in the past we have to negotiate with them so we can buy off a Platts basis and they have not always been receptive. Their price is their posted price. How can I enter into a contract for the Bio Diesel that I am pricing out 1 (one) level based off a Platts average in the markup and my purchasing? (A) is it going to be inconsistent because I am dependent on the terminal supplier and (B) their pricing does not follow the same format. The reason we buy from the terminal operator is we do not like to blend our own Bio Diesel because of the product liability especially with your engines.
- A. Please put that question in writing.
- Q. After the bid is awarded what date does this start?
- A. The current contract expires in January.
- Q. Do you know the date?
- A. I believe January 13<sup>th</sup>. That information will be provided in the addenda.  
Revised Answer: The current contract expires on January 12, 2013.

With your package was also included an orange label. Please make sure this label is affixed to the front of your submittal package.

Mr. Rodriguez also stated that verbal statements made today or at any point during this procurement process are not to be relied on and do not commit SFRTA. Only written responses from SFRTA through issued addenda will be the official responses for this procurement. Where there appear to be variances or conflicts between these minutes and ITB provision(s), the ITB provision(s) shall prevail.

At this point, there were no further questions and the meeting was adjourned.

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LOCOMOTIVE FUELING SERVICES

Q&A No.	Section and (Page)	Submittal Date	Question
1	General	11/14/12	<p><b>Question</b></p> <p>Can you please provide the previous award sheet for this contract?</p> <p><b>Answer</b></p> <p>See attached contract bid tabulation sheet. Exhibit 1.</p>
2	General	11/15/12	<p><b>Question</b></p> <p>How many entities have procured documents for this bid?</p> <p><b>Answer</b></p> <p>7</p>
3	General	11/15/12	<p><b>Question</b></p> <p>Have there been any Addenda issued by the SFRTA?</p> <p><b>Answer</b></p> <p>No.</p>
4	General	11/15/12	<p><b>Question</b></p> <p>Pricing Basis; A - Regarding Red Dyed Off Road Low Sulfur Number 2 and Red Dyed Off Road Ultra Low Sulfur Number 2 Diesel. Is the differential (price between the prior day Platts gulf coast water borne mean price and the selling price) to include all applicable taxes and fees, or are the taxes and fees to be separate?</p> <p><b>Answer</b></p> <p>All taxes other than Road Taxes (hence the dyed fuel not to be used on highway/roadway vehicles) need to be included.</p>

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Q&A No.	Section and (Page)	Submittal Date	Question
5	General	11/15/12	<p><b>Question</b></p> <p>Pricing Basis; B - Regarding Bio-Diesel Blends. Currently there is only one terminal operating in Port Everglades that offers various biodiesel blends. It is offered for sale when it is available. There is no consistency of when it is and when it is not available. The operator offers their blends at a daily rack price, and are hesitant to enter into contracts for Bio-Diesel Blends. From past discussions, their concerns with bio-diesel contracts regards their ability to meet the daily volume requirement of Bio Product that a contract would demand. Macmillan Oil has the capacity, but does not, blend bio-diesel because outside of the terminal operator in Port Everglades, in South Florida there is a vast inconsistency of product specifications and quality.</p> <p><b>Answer</b></p> <p>Bio-Diesel has been modified to be priced by the OPIS Gross SME Bio Diesel Tax Adjusted Market Index blend price for Port Everglades, weekly low rack price. Also please note the estimated quantity has been readjusted to reflect a more accurate Bio-Diesel blend consumption, when available (SFRTA recognizes that Bio-Diesel Blends deliveries are dependent on availability). See Addendum # 1.</p>
6	General	11/15/12	<p><b>Question</b></p> <p>Pricing Basis; C - Regarding B100 Bio-Diesel. No Terminal operator in Port Everglades offers a B100 product. B-99 might be possible. The suppliers pricing mechanism probably would not be based on Platts and supply would not be able to be guaranteed.</p> <p><b>Answer</b></p> <p>B100 Bio-Diesel has been modified to be priced by the OPIS Gross SME Bio Diesel Non-Tax Adjusted Market Index B100 price for Port Everglades, weekly low rack price. (SFRTA recognizes that Bio-Diesel deliveries are dependent on availability). See addendum # 1.</p>

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Q&A No.	Section and (Page)	Submittal Date	Question
7	General	11/15/12	<p><b>Question</b> Section 4.10 - "Contractor must provide an electronic file on a daily basis with the PLATTS price published in the "US Market Scan", to the project manager and the contact specialist of record or designee". Would emailing an excel spreadsheet with the prior day gulf coast water borne mean price be sufficient in meeting this requirement? We would not be able to email the "US Market Scan" report because of copyright protections.</p> <p><b>Answer</b> Yes an excel spreadsheet is acceptable, format to be determined by SFRTA Project Manager. SFRTA reserves the right to audit the Contractors records, including PLATTS price published in the "US Market Scan", per SFRTA Special Terms and Conditions, <u>section 3.2.3.</u></p>
8	General	11/16/12	<p><b>Question</b> Who is the current supplier?</p> <p><b>Answer</b> MacMillan Oil</p>
9	General	11/16/12	<p><b>Question</b> On the bid form, you ask for a "numeric value": do you want us to add the adders (adders over Platts) together and calculate it against 3 million gallons over 5 years?</p> <p><b>Answer</b> Refer to revised Bid Form. See Addendum # 1.</p>
10	General	11/16/12	<p><b>Question</b> For transport and tank wagon deliveries: what are the typical deliveries? Are there minimums for each type of truck?</p> <p><b>Answer</b> Transport deliveries averages 7,500 gallons and Tank-wagon deliveries are currently averaging less than 4,000 gallons.</p>

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Q&A No.	Section and (Page)	Submittal Date	Question
11	General	11/16/12	<p><b>Question</b></p> <p>The bid asks for metered tickets. Are bill of lading acceptable for transport truck deliveries?</p> <p><b>Answer</b></p> <p>No, metered tickets are required to confirm/document the amount of fuel actually delivered and dispensed into a locomotive, generators or wayside storage tank.</p>
12	General	11/16/12	<p><b>Question</b></p> <p>Platts – do you have your own subscription or are you currently getting copies from your current supplier?</p> <p><b>Answer</b></p> <p>SFRTA currently does not have a subscription. See Section “4.10 Reporting”, page SOS-4 of 4 for instructions.</p>
13	General	11/16/12	<p><b>Question</b></p> <p>Please clarify and/or confirm: for Platts day prior to date of delivery, do you mean the waterborne mean end of day (plus adders) is the delivery price for the next day? (i.e. – End of day (or close) W/B mean for Monday, plus adder, is delivered price for Tuesday)</p> <p><b>Answer</b></p> <p>Yes. See page BF– 2 of 4 – AD1 “INSTRUCTIONS”. See Addendum # 1.</p>
14	General	11/16/12	<p><b>Question</b></p> <p>What is the estimated monthly usage in gallons? Are some months “heavier” than others?</p> <p><b>Answer</b></p> <p>Approximately 225,000 gallons monthly. There is a 15,000-20,000 (+/-) variance in monthly consumption.</p>



## INSTRUCTIONS

**For Red Dyed Off Road Low Sulfur Number 2 and Red Dyed Off Road Ultra Low Sulfur Number 2 Diesel fuels:** Bidder shall base pricing on the PLATTS price published in the "U.S. Market Scan" as described herein *for the date prior to the date of delivery of product*. ~~Bidders shall only provide per gallon pricing information above this base.~~ Quoted prices shall remain valid for the entire term of the contract.

- Daily Published Platts Gulf Coast Water Borne mean price for Ultra Low Sulfur Diesel = 100% of cost per gallon.

**For Bio-Diesel Blends: (When available)**

Bidder shall base pricing on the ~~PLATTS~~ OPIS GROSS SME BIODIESEL TAX ADJUSTED MARKET INDEX blend price for Port Everglades. ~~Bidders shall only provide per gallon pricing information above this base.~~ Quoted prices shall remain valid for the entire term of the contract.

- Bio-Diesel Blends includes any combination from B5 to B99, when available. OPIS GROSS SME BIODIESEL TAX ADJUSTED MARKET INDEX weekly low rack price for the purchased blend for Port Everglades.

**For B100 Bio-Diesel: (When available)**

Bidder shall base pricing on the ~~PLATTS~~ OPIS GROSS SME BIODIESEL NON-TAX ADJUSTED MARKET INDEX B100 price for Port Everglades. ~~Bidders shall only provide per gallon pricing information above this base.~~ Quoted prices shall remain valid for the entire term of the contract.

~~On the Bid Submittal Sheet, SFRTA has projected estimated usages per fuel type.~~ Bidders are hereby noticed that SFRTA retains the right to purchase any combination of fuel types in any quantities or may purchase only one fuel type for the duration of the contract. SFRTA estimates purchasing up to three (3) million gallons of fuel per year. This estimate is subject to change based on fleet economy and SFRTA commuter rail service schedule changes.

## Bid Submittal Sheet

Estimated Quantities Based on Consumption History.

Item	Delivery Method	Red Dyed Off Road Low Sulfur Number 2, Red Dyed Off Road Ultra Sulfur Number 2, Bio-Diesel Blends (Range from B5 to B99) Fuels and B100. (Bio-Diesel Fuel when Available).	Total
1	Transport Delivery Fee Bidded (+)/(-) per gallon	*3.2 x _____ x 1,500,000 gallons	\$ _____
2	Tank-wagon Delivery Fee Bidded (+)/(-) per gallon	*3.2 x _____ x 1,500,000 gallons	\$ _____
<b>TOTAL EXTENDED YEARLY COST</b> (For Bid Evaluation Purpose Only)			\$ _____
<b><u>TOTAL BID AMOUNT</u></b> (Total Extended Yearly Cost (above) x 5 years)			\$ _____

- \* To calculate the totals for Items 1 and 2, multiply:  
Factor (3.2) x the proposed Delivery Fee x the number of gallons.
- \* The Factor was calculated using the weighted average of the estimated fuel costs (per gallon) of each fuel type and is for bid evaluation purposes only.

## 4.0 – SCOPE OF SERVICES

### 4.1 PURPOSE

The purpose of the ITB is to obtain the services of a Contractor to procure and deliver an estimated 3,000,000 gallons of red dyed off road fuel annually for SFRTA's Tri-Rail Commuter Rail Service. The majority of fuel shall be delivered to a fuel storage tank located at SFRTA's Hialeah Yard Maintenance Facility, 9400 N.W. 37th Avenue, Miami, Florida. The Contractor shall also be required to deliver on demand up to ~~twenty percent (20%)~~ fifty percent (50%) of the fuel directly to SFRTA locomotives at SFRTA's West Palm Beach Maintenance Facility at 435 S. Tamarind Avenue, West Palm Beach, Florida and to SFRTA back-up power generators located at SFRTA's Hialeah Yard Maintenance Facility and SFRTA's corporate office at 800 NW 33<sup>rd</sup> Street, Pompano Beach.

A new proposed northern maintenance facility may be constructed during the course of this contract in the area to the north west of Dexter Way, West Palm Beach, FL 33407. This new facility is about 4.6 miles north east of the current West Palm Beach (WPB) maintenance facility. Proposers should understand the new maintenance facility will need to be included in their submission as an additional delivery point or in place of the current WPB facility at 435 South Tamarind Ave. Up to 50% of the fuel may need to be delivered to this location. The cost for fuel delivery to the new facility if constructed will be identified for tanker truck loads (dispensed into a storage tank similar to Hialeah) and tank wagon (small truck to dispense directly into the locomotives) in the submission.

In addition, on an emergency basis only, the Contractor may be required to deliver fuel at accessible locations along SFRTA's Tri-Rail operating rail corridor. The selected Contractor shall provide metered fuel logs indicating the exact quantity deposited in each locomotive and the fuel storage tank.

### 4.2 SCOPE OF WORK

The Contractor shall be responsible to provide all necessary labor, materials and equipment, including associated incidental work, to furnish, deliver, and properly invoice the required quantity and grade red dyed off road and Bio-Diesel fuel to SFRTA's locomotives and fuel storage tanks at either the Hialeah Yard Maintenance Facility, the West Palm Beach Maintenance Facility, SFRTA back-up power generators or in emergency situations along Tri-Rail's operating rail corridor on a seven day per week schedule.

### 4.3 FUEL TYPE

At the current time, SFRTA anticipates the annual use of red dyed off road Low Sulfur Number 2 Diesel fuel and red dyed off road Ultra Low Sulfur Number 2 Diesel fuel to be approximately 2,400,000 gallons and B20 Bio-Diesel Blends ranging from B5 through B99 and B100 Bio-Diesel approximately 600,000 gallons, when available (SFRTA recognizes that Bio-Diesel Blends deliveries are dependent on availability). However, **Contractor is hereby noticed that SFRTA retains the right to purchase any combination of fuel types in any quantities or may purchase only one fuel type for the duration of the Agreement.**

In the event the Contractor submits multiple invoices, the Contractor shall be required to provide a summary report or statement including all invoices submitted.

In no event shall SFRTA be required to reimburse the Contractor for any deliveries which have not been logged and duly acknowledged by signature of an employee of SFRTA or Bombardier.

In addition, invoices shall include appropriate **PLATTS** price published in the “U.S. Market Scan” as described herein *for the date prior to the date of delivery of product and the OPIS price sheets*, or other documentation as required prior to being processed for payment.

#### **4.9 STORM RECOVERY**

Following a hurricane or other major storm affecting the region, unless otherwise restricted by law, Contractor shall prioritize fuel deliveries to SFRTA and resume deliveries to SFRTA within twenty-four (24) hours of a storm passing. If ports are closed, deliveries shall resume within twenty-four (24) hours of the ports reopening.

#### **4.10 REPORTING**

Contractor must provide an electronic file on a daily basis with the **PLATTS** price published in the “U.S. Market Scan” and on a weekly basis with the OPIS low rack weekly price to the Project Manager and Contract Specialist of record or designee.



**SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY**

**BID TABULATION**

**ITB/RFP No: ITB No. 07-001 "Locomotive Fueling Services"**

**DATE AND TIME:** November 13, 2007, 4:00 P.M.

**ADDENDA ISSUED:** (X) YES ( ) NO

**NO. OF ADDENDA:** 2

**WITNESSED BY:**

*[Signature: John W. Miller]*  
*[Signature: Robert Becker]*

*[Signature: Duane Miller]*  
*[Signature: Safene]*

(X) UNVERIFIED BID AMOUNTS

( ) VERIFIED BID AMOUNTS

BIDDERS	TOTAL BID AMOUNT
1. Mac Millan Oil	<del>\$ 33,369,000</del> \$6,673,800.00
2. Tropic Oil	\$6,770,950.00
3. BV Oil	\$6,828,060.00
4. SSI	\$6,793,500.00
5.	
6.	
7.	
8.	
9.	
10.	

**OFFERS FROM THE VENDORS LISTED HEREIN ARE THE ONLY OFFERS RECEIVED TIMELY AS OF THE OPENING DATE AND TIME. ALL OTHER OFFERS SUBMITTED IN RESPONSE TO THIS SOLICITATION, IF ANY, ARE HEREBY REJECTED AS LATE.**

**Failure to file a protest within the time prescribed in S. 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.**

- 1) Verified tabulation will be posted within 72 hours.
- 2) Notice of Intent to Award will be within 180 days of the opening date shown above.

Direct all questions to: South Florida Regional Transportation Authority, 800 NW 33<sup>rd</sup> Street, Suite 100, Pompano Beach, Florida 33064, ATTENTION: Robert Becker, Contracts Specialist, Procurement Department at 954-788-7909 or Fax inquiries to him at 954-788-7963.